

AO 91 (Rev 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

District of Nebraska

United States of America

v.

JASON BADBERG

*Defendant(s)***SEALED**

Case No. 4:21MJ3038

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 15, 2021 in the county of Hamilton in the  
       District of Nebraska, the defendant(s) violated:

*Code Section*

18 U.S.C. § 2113(b)

*Offense Description*

JASON BADBERG, did take and carry away, with intent to steal and purloin, property or thing of value, namely an ATM Machine, of a value exceeding \$1000.00, belonging to and in the care, custody, control, management and possession of Giltner State Bank, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(b).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.*Complainant's signature*

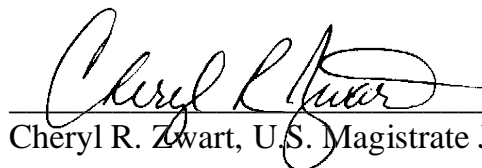
S.A. CHRISTOPHER B. BLAIR, FBI

*Printed name and title*☐ Sworn to before me and signed in my presence.☒ Sworn to before me by telephone or other reliable electronic means.

Sworn to before me by reliable electronic means:

Date: March 23, 2021.

District of Nebraska



Cheryl R. Zwart, U.S. Magistrate Judge

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Christopher B. Blair , having been first duly sworn, do hereby depose and state as follows:

**INTRODUCTION**

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), and have been so employed for approximately twelve (12) years. I am currently assigned to the FBI Omaha Division, Violent Crimes Squad, Greater Plains Violent Crimes Task Force (GPVCTF), where I am responsible for investigating violations of various criminal statutes, including those pertaining to Bank Larceny, in violation of Title 18, United States Code, Section 2113(b) and 2. I have been the Case Agent and have assisted in violent crimes and Bank Larceny investigations, which have resulted in search warrants, arrests, and the seizure of forfeiture and assets. Prior to joining the FBI, I served as a Police Officer with the Omaha Police Department.

2. I have received relevant training in violent crime and Bank Larceny investigations from the FBI Academy in Quantico, Virginia. I have also acquired knowledge and information about the means and methods of violent crimes to include Bank Larceny, to include informal training, other law enforcement officers and investigators, informants, persons whom I have arrested and/or interviewed, and my participation in multiple investigations related to Bank Larceny investigations. The aforementioned investigations ultimately led to the arrests and convictions of those persons who violated those federal crimes.

**PURPOSE OF THIS AFFIDAVIT**

3. This affidavit is submitted in support of a criminal complaint and arrest warrant for JASON BADBERG, a white male, born in 1983. Since this affidavit is being submitted for

the limited purpose of securing an arrest warrant, I have not set forth each and every fact known to me regarding this investigation. The statements contained in this affidavit are based in part on the investigation that I have conducted and information provided to me by other law enforcement officers verbally, and through written reports.

#### OVERVIEW OF INVESTIGATION

4. On February 15<sup>th</sup>, 2021, at approximately 11:20 p.m., your affiant was notified through the FBI Omaha Division GPVCTF that a bank larceny took place at the Giltner State Bank, located at 216 Tonya Drive, Giltner, Nebraska. Giltner State Bank video surveillance revealed that two males entered the vestibule of the Giltner State Bank, where there was an Automated Teller Machine (ATM) and rolled the ATM out on a red two wheeled dolly. The ATM is owned by Giltner State Bank. Giltner State Bank is federally insured through the Federal Deposit Insurance Corporation (FDIC) with certificate number 17229.

5. On February 15<sup>th</sup>, 2021, your Affiant was advised by FBI Omaha surveillance that a vehicle described as a red 2009 red Chevy Silverado, Iowa plate JBM260, registered to JASON BADBERG born 1983, was observed leaving the scene at Giltner State Bank. FBI Omaha surveillance was able to confirm that the ATM was removed from the Giltner State Bank vestibule area. The vehicle was observed leaving the area of Giltner, north of Aurora, NE.

6. Shelby County Sheriff's Office (SCSO) located in Harlan, Iowa has been investigating an ATM theft that occurred at the Farmers Trust and Savings Bank in Earling, Iowa. The ATM larceny occurred on January 14<sup>th</sup>, 2021. During the course of the investigation, a tracker was placed on a red 2009 red Chevy Silverado, Iowa plate JBM260, registered to JASON BADBERG. JASON BADBERG has been the target of an on-going investigation with

the SCSO for both narcotics and ATM Larceny. During the course of their investigation, Shelby County Sheriff's Office received legal authority to place a vehicle tracker on the red 2009 red Chevy Silverado, Iowa plate JBM260, registered to JASON BADBERG. The tracker was used to locate the red 2009 red Chevy Silverado, Iowa plate JBM260 throughout the investigation both before and after the Giltner State Bank ATM theft occurred.

7. On February 16<sup>th</sup>, 2021, sometime between 12:30 a.m. and 2:30 a.m., your Affiant was advised by FBI Omaha surveillance that the above-mentioned red Chevy Silverado was parked behind a large building near some grain bins in Hordville, NE. GPVCTF located the red Chevy Silverado backed inside a large barn area in Hordville, NE. As investigators approached, two males where seen running from the vehicle towards the residential area of Hordville, NE. Upon approach of the red Chevy Silverado, GPVCTF were able to locate the ATM in the back of the truck.

8. On February 16<sup>th</sup>, 2021, FBI Omaha surveillance was able to locate CLIFFORD BADBERG, white male, born in 1956, a couple of miles away from the red Chevy Silverado. CLIFFORD BADBERG was found hiding in some shrub brush, 300 Yards North of East 28th on North U Road, west of Aurora, Nebraska. CLIFFORD BADBERG surrendered to investigators after following verbal commands to surrender. CLIFFORD BADBERG was placed into custody and transported back to the area of the red Chevy Silverado. The second suspect evaded arrest and was last seen running towards a residential area in Hordville, NE.

9. On February 16<sup>th</sup>, 2021, Hamilton County Sheriff's Office (HCSO) responded to the scene of the stolen ATM from Giltner State Bank. During the investigation, deputies were able to recover surveillance video that showed an individual wearing the exact same clothing as

CLIFFORD BADBERG when he was arrested for stealing the ATM. CLIFFORD BADBERG was arrested wearing a camouflage jacket, dark green face covering, gray pants and brown Columbia boots.

10. During transportation back to the red Chevy Silverado, CLIFFORD BADBERG made several utterances to law enforcement. For example, CLIFFORD BADBERG noted he has been charged with attempt of murder in the past because he cut someone's throat. In addition, CLIFFORD BADBERG added he knew investigators had been after him for about the last five months. Investigators asked CLIFFORD BADBERG if he knew the whereabouts of his partner who helped steal the ATM. Affiant advised CLIFFORD BADBERG that for survival purposes he needed to help law enforcement find the person who assisted him in stealing the ATM. Weather conditions were -20 and both CLIFFORD BADBERG and the unknown accomplice were exposed to the weather conditions for over two hours. CLIFFORD BADBERG responded he did not know where his ex-prison cell mate Tom, LNU was.

11. FBI Omaha believes that CLIFFORD BADBERG was being helped by his son JASON BADBERG in the above-mentioned ATM theft. The red Chevy Silverado is registered to JASON BADBERG and FBI Omaha surveillance has observed JASON BADBERG driving the vehicle. Law enforcement again expressed their desire to locate JASON BADBERG for his safety as temperatures were -20. CLIFFORD BADBERG responded that investigators would never find JASON. CLIFFORD BADBERG then uttered that he wanted investigators to leave his son JASON and WESLEY BADBERG out of the investigation and that he would take the blame for all the ATM thefts to include the one in Giltner, NE. While in the hospital located in Central City, NE, CLIFFORD BADBERG continued to make utterances about his past criminal

activities. CLIFFORD BADBERG uttered to Affiant that he knew investigators were looking for him and that he just wanted to steal one more ATM before his social security started to kick in.

12. On February 16<sup>th</sup>, 2021, a Silver Ford F-250, VIN 1FT7X2BT8FEC15098, NE License Plate 46-293E, was reported stolen from 223 Vine Street, Hordville, NE. The reporting party observed that their vehicle was missing around 6:00 AM on February 16<sup>th</sup>, 2021 and called the police. Law enforcement believes that the second subject JASON BADBERG evaded arrest by stealing the Silver F-250 and fled the area.

13. On February 17<sup>th</sup>, 2021, Tarkio Police Department in Tarkio, Missouri contacted Affiant that the reported stolen Silver Ford F-250 was located at 9<sup>th</sup> and College Street, Tarkio, Missouri 64491 unoccupied with the keys in the ignition. The truck was towed to Double M. Towing, located at 408 S. Elm Street, Rock Port, Missouri.

14. On February 17, 2021, FBI Omaha obtained photographs and a CD containing Gretna Walmart surveillance images that were recorded on February 15, 2021, the day the Giltner State Bank ATM larceny occurred. The Walmart is located at 11350 Wickersham Boulevard, Gretna, Nebraska. The items were obtained from Walmart Asset Protection Management. Surveillance images depict a red extended cab Chevrolet pickup enter the Walmart parking lot at approximately 7:51 p.m. on February 15, 2021. Two white males exit the vehicle and enter the Walmart at 7:53 p.m. These two white males have been identified as JASON BADBERG and CLIFFORD BADBERG by FBI Omaha from law enforcement photographs and interactions with the BADBERG'S. The two walked around inside the Walmart and JASON BADBERG purchased a black head covering for \$2.11 at 8:04 p.m. JASON BADBERG used self-check out register #43 and used a \$100.00 bill to make the

purchase. After the purchase, the BADBERG'S leave the Walmart at approximately 8:05 p.m. The two walked back to the red Chevrolet pickup and exit the parking lot. JASON BADBERG was the driver of the truck.

15. On February 22, 2021, FBI Omaha obtained photographs and a CD containing Grand Island Walmart surveillance images that were recorded on February 15, 2021, the day the Giltner State Bank ATM larceny occurred. A copy of an electronic journal of a store sale was also obtained. The Walmart is located at 3501 S. Locust Avenue, Grand Island, Nebraska. The items were obtained from Walmart Asset Protection Management. Surveillance images depict a red extended cab Chevrolet pickup park in the Walmart parking lot at approximately 10:24 p.m. on February 15, 2021. Two white males exit the vehicle and enter the Walmart at 10:26 p.m. These two white males have been identified as JASON BADBERG and CLIFFORD BADBERG by Omaha FBI from law enforcement photographs and interactions with the BADBERG'S. The two walked around inside the Walmart and CLIFFORD BADBERG is seen pushing a red two wheeled dolly around the store with JASON BADBERG walking near him. At approximately 10:35 p.m., JASON BADBERG purchased the \$54.00 red, two-wheeled dolly and some other items with United States currency. This transaction was documented in Walmart Electronic Journal and captured on surveillance video. After the purchase, the BADBERG'S leave the Walmart at approximately 10:45 p.m. in the red Chevrolet pickup and exit the parking lot. JASON BADBERG was the driver of the truck.

16. After leaving the Walmart located at 3501 S. Locust Avenue, Grand Island, Nebraska, the tracker placed on the red 2009 red Chevy Silverado, Iowa plate JBM260, registered to JASON BADBERG showed the vehicle driving to the area of Giltner, Nebraska. JASON BADBERG

and CLIFFORD BADBERG were seen leaving the Grand Island, Nebraska Walmart at 10:45 p.m. From the Walmart located at 3501 S. Locust Avenue, Grand Island, Nebraska to the Giltner, State Bank, in Giltner, Nebraska is around 18 miles. The ATM larceny occurred around 11:20 p.m.

CRIMINAL HISTORY OF JASON LEE BADBERG

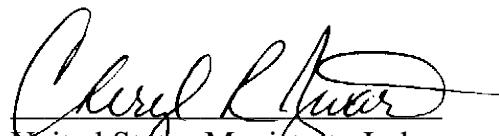
17. Badberg is a white male, born in 1983, with brown hair and hazel eyes. A criminal records check for Badberg indicates he possesses FBI record number 612958AC0 and Iowa Identification Number IA00694647. Badberg has been arrested for Burglary, Harrison County Sheriff's Office, Iowa (03/24/2003), Possession of a Controlled Substance with the Intent to Deliver, Pottawattamie County Sheriff's Office, Iowa (11/29/2004), Assault Causing Bodily Injury, Council Bluff Police Department, Iowa (09/19/2010), Burglary, Aurora Police Department, Illinois 07/13/2006. Badberg has other additional offenses and convictions dating back to 2003.

18. Based upon the above facts and circumstances, I believe sufficient probable cause exists to authorize a criminal complaint and arrest warrant for JASON LEE BADBERG, regarding the violations of Bank Larceny, in violation of Title 18, United States Code, Section 2113(b) and 2.

  
S.A. CHRISTOPHER B. BLAIR, FBI

Sworn to before me by reliable electronic means:

Dated: March 23, 2021.

  
United States Magistrate Judge